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2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
4 AT SEATTLE

5 THE MACERICH PARTNERSHIP, LP, et al.,
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7 Plaintiff(s),
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9 v.
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11 McCARTHY BUILDING COMPANIES, et al.,
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13 Defendant(s)/Third-Party
14 Plaintiffs,
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16 v.
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18 PACIFIC ERECTORS, INC., et al.,
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20 Third-Party Defendant(s).
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22 NO. C03-2656P
23

24 ORDER ON MOTION TO STRIKE
25 SUPPLEMENTAL DISCLOSURE OF
26 EXPERT WITNESSES

27 The above-entitled Court, having received and reviewed:

28 1. Plaintiff's Motion to Strike Defendant's Supplemental Disclosure of Expert Witnesses
29 2. McCarthy Building Companies, Inc.'s and SDL Corporation's Opposition to Plaintiffs' Motion
30 to Strike Defendants' Supplemental Disclosure of Expert Witnesses
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32 and all exhibits and declarations attached thereto, makes the following ruling:

33 IT IS HEREBY ORDERED that the motion is GRANTED and the Defendants' Second
34 Supplemental Disclosure of Expert Witnesses is stricken.

35 This case was filed in 2003. The Court finds that not a single acceptable reason has been
36 advanced to explain why the parties' experts are rendering new opinions this long after the cutoff date
37 for expert disclosures. This Court further finds that the Supplemental Disclosure of Expert Witnesses
38 submitted by Defendants fails to meet the substantive requirements of FRCP 26. The submission does
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1 not contain "a complete statement of all opinions to be expressed and the basis and reasons therefore"
2 as is mandated by the federal civil rules and prior orders of this Court.

3 The testimony of Defendants' expert Mr. Pihl will be limited to those opinions exchanged,
4 expressed, offered via affidavit or testified to on or prior to December 15, 2005.

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6 The clerk is directed to provide copies of this order to all counsel of record.

7 Dated: April 7, 2006



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9 Marsha J. Pechman
10 U.S. District Judge
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